

HOUSE No. 4830

Section 11 contained in the engrossed Bill making appropriations for the fiscal year 2011 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 4800), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see Attachment C of House, No. 4840). July 1, 2010.

The Commonwealth of Massachusetts

In the Year Two Thousand and Ten

An Act prohibiting fraud and misapplication of Department of Transitional Assistance funds.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to prudently and honestly use forthwith Department of Transitional Assistance funds, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 18 of the General Laws is hereby amended by inserting after section 5H the
2 following 2 sections:-

3 Section 5I. Notwithstanding any general or special law to the contrary, eligible recipients
4 of direct cash assistance shall not use direct cash assistance funds held on electronic benefit
5 transfer cards for the purchase of alcoholic beverages or tobacco products. An individual or
6 store owner who knowingly accepts electronic benefit transfer cards in violation of this section
7 shall be punished by imprisonment in a jail or house of correction for not more than 2 and one-
8 half years or by a fine of not less than \$1,000, or both such fine and imprisonment.

9 Section 5J. Notwithstanding any general or special law to the contrary, whoever
10 embezzles, willfully misapplies, steals or obtains by fraud any funds, assets or property provided
11 by the department of transitional assistance and whoever receives, conceals or retains such funds,
12 assets or property for his own interest knowing such funds, assets or property have been
13 embezzled, willfully misapplied, stolen or obtained by fraud shall, if such funds, assets or
14 property are of a value of \$100 or more, be punished by a fine of not more than \$25,000 or by
15 imprisonment in a jail or house of correction for not more than 5 years, or both such fine and
16 imprisonment, or if such funds, assets or property are of a value of less than \$100, by a fine of
17 not more than \$1,000 or by imprisonment in a jail or house of correction for not more than 1
18 year, or both such fine and imprisonment.